

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MADISON BOYKIN and BEVERLY BOYKIN,

Plaintiff,

v.

Case No. 14-12745

DEUTSCHE BANK NATIONAL TRUST
COMPANY, as Trustee for Long Beach
Mortgage Loan Trust 2005-1 and SELECT
PORTFOLIO SERVICING, INC.,

HON. AVERN COHN

Defendants.

ORDER GRANTING DEFENDANTS' MOTION TO DISMISS (Doc. 8)

This is a case challenging foreclosure proceedings following a default on a mortgage obligation. Plaintiffs Madison and Beverly Boykin are suing defendants Deutsche Bank National Trust Company, as Trustee for Long Beach Mortgage Loan Trust 2005-1 and Select Portfolio Servicing, Inc. The foreclosure has taken place and the redemption period has expired. Nevertheless, plaintiffs believed they have a right to the property, and in particular a right to a loan modification. On December 16, 2014, the Court issued a Memorandum and Order on Defendants' Motion to Dismiss (Doc. 12). In the Memorandum, the Court explained that plaintiffs' claims lack plausible merit and that defendants' motion should be granted. However, the Court delayed entered an order granting defendants' motion for 60 days to allow plaintiffs a final opportunity to obtain a loan modification. See Doc. 12 at p. 14. The 60 day time limit was subsequently extended as plaintiffs proceeded through the loan modification process. On June 18,

2015, the parties advised the Court that plaintiffs' request for a loan modification has been denied and their appeal has also been denied. (Doc 15). In light of this filing, and for all the reasons stated in the Memorandum, defendants' motion to dismiss is GRANTED. This case is DISMISSED.

SO ORDERED.

S/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: June 23, 2015
Detroit, Michigan